ORDINANCE NO. 2008-08

AN ORDINANCE AMENDING ORDINANCE NO. 98-9 FIXING WATER RATES FOR SERVICES RENDERED BY THE WATER AND SEWER SYSTEM OF THE CITY OF MULBERRY, ARKANSAS; AND PRESCRIBING OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Mulberry, Arkansas (the "City") owns and operates a water and sewer system (the "System"), and has determined that extensions, betterments and improvements to the water facilities of the System (the "improvements") should be made in order that the City and its inhabitants may have adequate and proper water facilities; and

WHEREAS, all or a portion of the costs of the improvements will have to be paid from the proceeds of a new issue of revenue bonds to be purchased by an agency of the United States of America; and

WHEREAS, it is necessary for the City to amend Ordinance No. 98-9, adopted December 1, 1998 ("Ordinance No. 98-9"), fixing water rates to be charged for the services of the System in accordance with the requirements for the bonds;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mulberry, Arkansas:

Section 1. Section 1 of Ordinance No. 98-9 is hereby amended to read as follows:

"SECTION 1. That the following monthly rates and charges which the City Council hereby finds and declares are fair, reasonable and necessary minimum rates be, and they are hereby, fixed as rates to be charged for services rendered by the water facilities of the System.

(a) Monthly Water Rates. All water charges shall be based on water consumption and the amount to be paid by each customer shall be computed on the basis of the following schedule of rates:

Retail Customers

| | |
|---|---|
| First 1,000 gallons of water consumption per month, or portion thereof | $12.00 (minimum) |

| | |
|---|---|
| Next 9,000 gallons of water consumption per month, or portion thereof | 4.50 per 1,000 gallons |
| Next 40,000 gallons of water consumption per month, or portion thereof | 3.50 per 1,000 gallons |
| Next 150,000 gallons of water consumption per month, or portion thereof | 2.95 per 1,000 gallons |
| Next 300,000 gallons of water consumption per month, or portion thereof | 2.85 per 1,000 gallons |
| All over 500,000 gallons of water consumption per month, or portion thereof | 2.25 per 1,000 gallons |

Wholesale Contract Buyers

| | |
|---|---|
| All water consumption | $ 1.05 per 1,000 gallons" |

Section 2. Ordinance No. 98-9, as amended hereby, shall be and remain in full force and effect.

Section 3. That the provisions of this Ordinance are separable and if a section, phrase or provision shall be declared invalid, such declaration shall not affect the validity of the remainder of this Ordinance.

Section 4. That all ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED: October 21, 2008.

APPROVED:

ATTEST:

Jerry Dick
City Recorder

Kelly Fellers
Mayor

(SEAL)

CERTIFICATE

The undersigned, City Recorder of the City of Mulberry, Arkansas, hereby certifies that the foregoing pages are a true and perfect copy of Ordinance No. 2008-08, adopted at a regular session of the City Council of the City of Mulberry, Arkansas, held at the regular meeting place in said City at 7:00 o'clock p.m., on the 21 day of October, 2008, and that the Ordinance is of record in Ordinance Record Book No. 2008, Page 2008-08, now in my possession.

GIVEN under my hand and seal on this 21st day of October, 2008.

Jerry Duff
City Recorder

(SEAL)